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Agenda item 14

DISCRIMINATION AGAINST INDIGENOUS PEOPLES

Written statement submitted by the International Movement Against All Forms of Discrimination and Racism, a non-governmental organization on the Roster

The Secretary-General has received the following written statement, which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV)

[1 August 1996]

Situation of indigenous peoples in Latin America

1. The situation of indigenous peoples in Latin America continues to be of great concern. Most of them still live in dire poverty and their living conditions are described as "abysmal" in a recent World Bank report. The economic crisis shaking a number of Latin American countries has hit hardest the indigenous peoples, and environmental degradation is threatening the habitat and livelihoods of many indigenous communities.

2. The civil and political rights of those peoples are also under attack. Despite some favourable legislative efforts over the last few years, indigenous peoples' organizations and leaders have reported numerous cases of human rights violations and various repressive measures against them by Governments, local authorities, landowners, law-enforcement agencies, armed forces and paramilitary organizations. Indigenous communities have been caught up in the increasing violence between different organizations of drug-traffickers, political guerrillas and military units.

3. Recent legislation concerning indigenous peoples in some Latin American countries has opened the way for further participation of the indigenous in the civil and political life, but great resistance to changes at the local level has hampered the full enjoyment of their rights, particularly the right to land, in several countries. In Guatemala, although the national Government and the National Revolutionary Unit have signed a peace agreement covering indigenous rights, the situation is far from being normalized, and numerous human rights violations against the indigenous peoples are continuously taking place with impunity.

4. In south-eastern Mexico, negotiations between the federal Government and the Zapatista National Liberation Army have been going on since 1994, and it is encouraging that there has been no further open violence in this region between those two parties. Hopefully, these negotiations may soon lead to a satisfactory conclusion.

5. After long debate in the Working Group on Indigenous Populations, a draft declaration on the rights of indigenous peoples, approved by the Sub-Commission, should be adopted by its superior bodies as soon as possible, without changes. This is a document which reflects the principal concerns of indigenous peoples all over the world. It should take its place in the developing structure of international human rights law, and nothing in the declaration should be considered by States as inimical to their sovereignty or interests.

6. Likewise, it is important that the United Nations remains an open space for the discussion of the rights of indigenous peoples, particularly during the International Decade of the World's Indigenous People, and establishment of a permanent forum to analyse and consider those rights should be supported and given the highest priority.

7. In the field of indigenous rights, other significant international activities must be also noted and encouraged: Governments, which have not yet done so, should ratify ILO Convention No. 169. In the Americas, the Organization of American States should proceed as rapidly as possible to the adoption of an Inter-American declaration of indigenous peoples' rights, which cannot be anything less than what is already stated in ILO Convention No. 169 and the United Nations draft declaration. Moreover, the Fund for the Development of Indigenous Peoples of Latin America and the Caribbean (1992), whose establishment might reflect the desire of the Governments concerned to favour their indigenous peoples, must be provided with the necessary resources by those Governments, without which its mandate could simply not be carried out responsibly.